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Leong C. Lei

Signature

Leong C. Lei

Registration No. 50402

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional) FP9997

First named inventor: Chiang Lung Cheng

Application No.: 10/777,111 Art Unit: 3612

Filed: February 13, 2004 Examiner: PAPE, JOSEPH

Title: Protection hood for automobile radiators

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The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:
(1) Petition fee;
(2) Reply and/or issue fee;
(3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
(4) Statement that the entire delay was unintentional.

1.Petition fee

☑ Small entity-fee $ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity – fee $ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of AMENDMENT (identify type of reply):

☐ has been filed previously on _____

☑ is enclosed herewith.

07/19/2005 TLO111 00000052 10777111
01 FC:2453 750.00 OP

B. The issue fee and publication fee (if applicable) of $ _____.

☐ has been paid previously on _____.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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3. Terminal disclaimer with disclaimer fee

☑ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of $ _____ for a small entity or $ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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_____ Signature	July 19, 2005 Date
Leong C. LEI Typed or printed name	50402 Registration Number, if applicable
PMB#1008, 1867 YGNACIO VALLEY RD., WALNUT CREEK CA 94598 Address	905-812-9381 Telephone Number
_____ Address	

Enclosures: ☑ Fee Payment
☑ Reply
☐ Terminal Disclaimer Form
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July 19, 2005
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In re Application of:)
In- Chiang Lung Cheng) Group Art Unit: 3612
Serial No. 10/777,111) Examiner: PAPE, JOSEPH
Filed: February 13, 2004)
For:PROTECTION HOOD FOR AUTOMOBILE RADIATORS

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

AMENDMENT

This is responsive to the Official Action dated June 4, 2004. Please amend the above-referenced Patent Application as provided in the following paragraphs.

AMENDMENTS TO THE CLAIMS:

Claims 1-2 (canceled)

Claim 3 (new): A protection hood structure for radiators of automobiles comprising:

a plurality of hollow protection ribs, each of said hollow protection ribs having two ends each engaged with a plastic pad; and

a plurality of vertical supporting protection ribs welded on said hollow protection ribs, each of said vertical supporting protection ribs being welded with screwing elements extending outwardly from an inner side of said vertical supporting protection rib for mounting on automobiles.

REMARKS

This case has been carefully reviewed and analyzed in view of the Official Action dated June 4, 2004.

The Examiner has objected to the drawings because the drawings must show every feature of the invention specified in the claims. Claim 2 has been canceled to avoid this objection.

Further, the Examiner has objected to claims 1 and 2 because of informalities. Claims 1-2 have been canceled and replaced with new claim 3 to overcome this objection.

Moreover, the Examiner has rejected claims 1-2 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-2 have been canceled and replaced with new claim 3 to overcome this objection.

Furthermore, the Examiner has rejected claims 1 and 2 under 35 U.S.C. 103(a) as being unpatentable over Applicant's Prior Art Figure 1 in view of Koch. However, it is respectfully requested that this rejection be withdrawn in light of the following reasons:

The present invention discloses a protection hood structure for radiators of automobiles comprising: a protection hood structure for radiators of automobiles comprising: a plurality of hollow protection ribs, each of said hollow protection ribs having two ends each engaged with a plastic pad; and a plurality of vertical supporting protection ribs welded on said hollow protection ribs, each of said vertical supporting protection ribs being welded with screwing elements extending outwardly from an inner side of said vertical supporting protection rib for mounting on automobiles. Further, the present invention has the following advantages over the cited references:

a. The protection ribs are hollow in structure thereby reducing the amount of material required for manufacturing the ribs and therefore lowering the material cost.

b. The hollow structure of the protection ribs can improve the elasticity hence providing a buffering effect to absorb external impact.

c. The two ends of the hollow protection ribs are each engaged with a plastic pad and the protection ribs are welded with vertical supporting protection ribs, thus eliminating the procedure for forming a recess as is required by the conventional method shown in Applicant's Prior Art Figure 1 and therefore simplifying the manufacturing process.

Applicant's Prior Art Figure 1, the first reference cited by the Examiner, illustrates a protection hood 1 for radiators and it is made from metallic material. The protection hood 1 comprises metallic protection straps 11 and the appropriate positions of the individual straps 11 have to be made into recess 110 to allow the welding of corresponding vertical metallic protection straps 11. Further the appropriate positions of the vertical metallic protection straps 11 are then soldered with screwing element 12 so that the protection hood can be mounted at the outer side of the radiator to protect the radiator. However, the conventional protection hood suffers from the following drawbacks:

a. The structure of the conventional protection hood is made of solid material. Therefore, the cost of material is higher.

b. The method of welding the metallic protection hood strap to the recess is rather troublesome. Since another fabrication procedure is needed, it is not economical to manufacture such a conventional protection hood.

c. The solid and rigid metallic straps are fragile to external force. Thus, it does not achieve the object of protecting the radiator.

It is evident that the first reference cited by the Examiner suffers from the drawbacks which can be overcome by the present invention. In addition, this reference fails to disclose a protection hood structure for radiators of automobiles comprising: a plurality of hollow protection ribs, each of said hollow protection ribs having two ends each engaged with a plastic pad; and a plurality of vertical supporting protection ribs welded on said hollow protection ribs, each of said vertical supporting protection ribs being welded with screwing elements for mounting on automobiles. Hence, the present invention can be clearly distinguished from the cited reference in structure and has obvious advantages over the cited reference. Koch, the second reference cited by the Examiner, discloses a vehicle protection bumper assembly comprising resilient bumper bars clamped to a vehicle chassis which extend across the width of the vehicle at its front end, the bumper bars being formed from transparent polycarbonate tubing, mounted in rubber. Similarly, this reference still fails to a protection hood structure for radiators of automobiles comprising: a plurality of hollow protection ribs, each of said hollow protection ribs having two ends each engaged with a plastic pad; and a plurality of vertical supporting protection ribs welded on said hollow protection ribs, each of said vertical supporting protection ribs being welded with screwing elements extending outwardly from an inner side of said vertical supporting protection rib for mounting on automobiles. Consequently, this reference is different from the present invention in structure.

Accordingly, even if the disclosures of the cited references are combined together, the combined disclosure still fail to teach each and every element of the claimed invention and so the subject matter sought to be patented as a whole would not be obvious to one of ordinary skill in the art.

The applicant has reviewed the prior art as cited by the Examiner but not used in

the rejection and believes that the new claim clearly and distinctly patentably defines over such prior art.

It is now believed that the subject Patent Application has been placed in condition of allowance, and such action is respectfully requested.

Respectfully submitted,

Leong C. Lei

Signature

Leong C. Lei

Registration No. 50402

July 19, 2005